

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

ELLIOTT INDUSTRIES LIMITED
PARTNERSHIP, a New Mexico
Limited Partnership,

Plaintiff,

vs.

Civ. No. 00-655 JC/WWD ACE

CONOCO INC., a Delaware corporation,
AMOCO PRODUCTION COMPANY, a
Delaware corporation, and AMOCO ENERGY
TRADING CORP., a Delaware corporation,

Defendants.

MEMORANDUM OPINION AND ORDER

This matter comes before the Court upon Defendant Conoco's Motion to Compel Production of Documents filed September 26, 2001 (Docket #201). Conoco seeks an order compelling the production sought in its Request for Production No. 8 which reads as follows:

All agreements between Plaintiff Elliott Industries Limited Partnership (or a related or predecessor entity) and third party natural gas and natural gas liquids purchaser, including but not limited to purchasers Charles B. Rogers Co. and Aquila, and including all related documents such as correspondence and accounting information relating to such agreements.

After reviewing the submissions of counsel I am persuaded that the documents requested with respect to Charles B. Rogers Co. and Aquila should be produced. Such production shall be made within thirty days of the date of entry of this Order. Further production in connection with this request will not be ordered at this time.

IT IS SO ORDERED.



UNITED STATES MAGISTRATE JUDGE